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Honorable Judge John Gleeson
United States District of New York
225 Cadman Plaza East
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Honorable Judge Gleeson,

As I have just learned that the Court will soon be sentencing Nachman Licher, I wish to share the following vital information. I have personal knowledge that Nachman and his wife Sarah have kept certain relevant matters private, out of shame for themselves and their children. Some time ago I provided the Court with information about Nachman Licher. As a clinical psychologist with twenty years of experience and a close family member (Nachman is my son in-law's brother) I am able to understand Nachman in a way few others can.

At this time I feel compelled to share with the courts the alarmingly critical state of his family. The information I am presenting is so tragic that it may seem an exaggeration. I assure you, it is not. Every detail is true and well-documented. I am sure few people shared the following details, as they are a source of shame to both Nachman and Sarah, and are therefore known to a select few. For more than ten years, Nachman has been the sole functional parent in the Licher family. Behind the scenes he is the glue that holds this fragile system together. Sarah Licher has confided to me many times over the years that it is only because of her husband's emotional support that she has been able to find the strength to push through her chronic pain and emotional scars and put on a positive façade for her children's sake.

Mrs. Licher who is profoundly dyslexic, spent many years in specialized schools growing up and has never been able to help any of the children with their school work. Nachman has been the only one to help the children with their homework, prepare for tests and basically oversee their education. Mrs. Licher's academic deficits are a great

source of shame and embarrassment for her. She and Nachman go to great lengths to conceal this fact. As a team they have placed a great emphasis on education, and are both determined to make sure their children receive a proper and good education to assure that their children do not ever find themselves in a compromised position. Without Nachman home, the children's education is bound to become severely compromised. This is a fact kept secret.

In the eleven years during which I have known the family, Mrs. Licher's health has been extremely unstable. Currently, she is so fragile that there are days and weeks when she cannot walk unassisted. There has been little money to pay for basic life necessities, let alone provide for extra help to assist Mrs. Licher as she battles her chronic health issues. Over the past few years, when Nachman drove a bus or took whatever menial work available to feed his family, their daughter Chavie had to miss days of school to care for her mother and siblings. At this point she can not afford to miss any more days of school, as she may not be able to graduate High School. This matter has also been kept very private.

Mrs. Licher has suffered for at least twelve years with a variety of symptoms that left her incapacitated for months. She has been to the Mayo Clinic, and various top doctors, with little positive results. Recently her diagnosis was finally confirmed as a long standing, severe case of Neuro-Lyme disease, a problem indigenous to their home town. She also has just learned that as a result of this, she has permanent nerve damage in her inner ear. This may explain the symptoms of vertigo she has suffered for the past ten years. The vertigo alone renders her completely incapacitated at times. On top of this she is severely diabetic. Needless to say she has not been able to perform even part-time work, let alone care for her three children or her home in a consistent manner.

Moreover, even if they were willing to reach out to others, neither Nachman nor his wife really have anyone who could have helped. Nachman's siblings are clearly overwhelmed with extremely large families of their own and Mrs. Licher has no family in the state of New York. Her family of origin suffers from severe poor health as well. Her sister in Detroit is a single parent of two small children who herself suffers from a severe case of diabetes. Sarah Licher's mother who resides in Florida, at sixty-four years of age has not gotten out of bed for over a year and is on the verge of being placed in a long term care facility. Mrs. Licher's father has been solely responsible for the care of his wife and has been unable to help his ailing daughter in any way. Thus, the sole burden of the academic, physical, emotional support of Nachman's children has fallen on him alone.

For the past few years the family finances have been in ruin. Bills are not being paid, creditors are constantly calling. While this legal matter has been pending, Nachman has had very little luck finding consistent work. He has taken any menial job available just to put bread on the table for his family. Mrs. Licher's health is only getting worse and she has not been able to generate any income due to her poor health, lack of skills and her profound dyslexia, which few people are aware of.

The oldest daughter clearly lacks the means and ability to care for her ailing mother and younger siblings. Without an education of her own, her prospects for the future are dim. The ten year old daughter is so emotionally damaged from years of trauma in her home life resulting first from her mother's poor health, her father's legal problems, the recent years of financial ruin; she is struggling in school, unable to sleep away from home, and suffering from profound anxiety and phobias. This young child is not even able to stay overnight at the home of a close relative for one night without her mother present, and most nights she still sleeps in her parent's room. Their son, who will be entering high school next year, is so distraught over the history of trauma in his life and the possibility that his father may not be around for him when he is in High School, he has developed a compulsive eating disorder. With the history of diabetes in his family his health is currently at severe risk. Moreover, he refuses to talk to anyone about his anxieties and fears, despite the urging of both his parents and his doctor. All of these matters have been kept very private by Nachman and his Sarah.

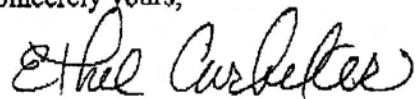
This is clearly a family already in ruins that cannot sustain further trauma. As it is, their future is bleak. Their mother's health has been on a serious decline for the past ten years. She tries her best to put on a pleasant façade to the world for the sake of her children, but the stark reality is known to her family. She has not been able to function for years. She has not been able to earn even a small income. At times she is not able to walk unassisted. To make matters even worse she was recently rear ended in an auto accident and suffered from a mild concussion, which exacerbated her vertigo. The family's complete and total dependence on Nachman has only increased over the years, and I personally know that he shares little if any of this with others. I cannot even imagine what will become of these children and their mother without their father in their midst.

Nachman has very recently found gainful employment on a regular basis for the first time in many years. He is desperate to pay off his many debts and loans and help his children have a better chance in life than he had. His willingness to work hard has not changed but he clearly has. He has clearly learned from his error. He is far more committed to his family, his community and his country. He wants to rectify his errors. While he tried to protect his family from humiliation and has kept many facts private and hidden, he has allowed me to share the sad details of his home life with the Court. He has been completely humbled by his own experience. He was never a very prideful person, but now is clearly a very humble one. His suffering and his family's suffering will continue regardless of what the Court will decide.

I am imploring the Court to consider the extremely fragile state of the members of this family, their lack of options and outside support. Even with the most lenient of decisions, this family's future remains bleak and uncertain. Nachman's actions have cost him what little sparks of stability his family may ever have had. I implore the Court to render a decision that will not further destroy this family, and to allow Nachman the opportunity through positive means to pay back to society the debts that he owes, through continued hard work, through raising educated hard-working children who will be capable of contributing positively to society and not be dependent on the State of New York or on anyone else.

Thank you for considering these sad circumstances. Please feel free to contact me if I can be of any further assistance to the Court.

Sincerely yours,

A handwritten signature in cursive ink, appearing to read "Ethel Cwibeker".

Ethel Cwibeker, Psy.D.
New York State Licensed Psychologist
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